

Sir: We, your Committee on State Affairs to whom was referred

H. C. R. No. 15.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Sept. 28, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 67, A bill to be entitled "An Act prohibiting any person to place, set, use, drag, or have in his possession any seine, net or other device for catching fish and shrimp other than the ordinary pole and line, casting rod and reel, artificial bait, trot line, set line, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Sept. 28, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 59, A bill to be entitled "An Act to amend Article 1667 of the Revised Civil Statutes of Texas for 1925 so that the provisions of said Article shall hereafter extend to all counties containing a population of seventy-five thousand (75,000) or more, as shown by the preceding Federal Census."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed."

MOORE, Chairman.

Committee Room,

Austin, Texas, Sept. 28, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 66, A bill to be entitled "An Act to declare a closed season on the killing of prairie chickens in Brazoria and Matagorda counties for

a period of five years, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MOORE, Chairman.

TWELFTH DAY.

Senate Chamber,

Austin, Texas,

September 29, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following senators answering to their names:

Beck.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	

Absent—Excused.

Berkeley. Woodward.

Prayer by the Rev. A. W. Jones of Llano.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Williamson.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Conference Committee Asked.

On motion of Senator Hornsby, the Senate refused to concur in House amendment to S. B. No. 15 and asked for the appointment of a conference committee.

The Chair appointed the following on the part of the Senate:

Senators Hornsby, Neal, Beck, Small, and Parrish.

Conference Committee Report.

Senator Rawlings sent up the following conference committee report:

Committee Room,
Austin, Texas, Sept. 28, 1931.
Hon. Edgar E. Witt, President of the Senate,
Hon. Fred H. Minor, Speaker of the House.

Sirs: We, your Conference Committee on S. B. No. 13, have had the same under consideration and have adjusted the difference between the House and Senate, and recommend the passage of the hereto attached bill, which is made a part of this report.

Respectfully submitted,
RAWLINGS,
PURL,
WOODRUFF,
POAGE,

On the part of the Senate.

WEST of Cameron,
KENNEDY,
FOARD,
SAVAGE,
GRAVES.

On the part of the House.

A BILL

To Be Entitled

An Act to amend Article 7332, Chapter 10, Title 122, of the Revised Civil Statutes of Texas, 1925, as amended by the Act of the 41st Legislature passed at its Regular Session, and found in the published laws of said session, Chapter 143, Pages 307-8, and as amended by the Acts of the Fourth Called Session of the 41st Legislature, as the same appears in the published laws of said session, Chapter 20, Page 37, and as amended by the 42nd Legislature at its Regular Session as same appears in the published laws of said session, Chapter 258, Page 428; providing for the filing of suits to collect delinquent taxes; providing for the fees of office for the various officers herein named; and providing that the officers herein named shall not be entitled to the fees provided for herein in delinquent tax suits until notice has been given to the owner for the time and in the manner pro-

vided by law; and further providing that the County Attorney, Criminal District Attorney, or District Attorney shall not be entitled to such fees when said taxes are collected under contract between the Commissioners' Court and others; and further providing that the statute of limitation shall not apply in suits by counties against any such officers to recover any such sums in their hands; to repeal all laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 7332, Chapter 10 of Title 122 of the Revised Civil Statutes of the State of Texas, 1925, as amended by the Acts of the Forty-first Legislature passed at its Regular Session and found in the published laws of said session, Chapter 143, Pages 307-8, and as amended by the Acts of the Fourth Called Session of the Forty-first Legislature, as the same appear in the published laws of said session, Chapter 20, page 37, and as amended by the Acts of the Forty-second Legislature passed at its Regular Session and found in the published laws of said session, Chapter 258, Page 428, be so amended as to hereafter read as follows:

Article 7332. Other Fees. The county or district attorney shall represent the State and county in all suits against delinquent tax-payers, and all sums collected shall be paid over immediately to the county collector.

Before filing suits for the recovery of delinquent taxes for any year, notice shall be given to the owner or owners of said property as is provided for in Article 7324 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 117, Page 196, Acts of the Forty-second Legislature, Regular Session. The fees herein provided for shall not accrue to nor shall the various officers herein named be entitled thereto in any suit unless it be proved that notice has been given to the owner for the time and in the manner provided by law.

In all cases, the compensation of said attorney shall be Two (\$2.00) Dollars for the first tract and One (\$1.00) Dollar for each additional

tract up to four (4), but said fee in no case to exceed five (\$5.00) Dollars. And provided, that in any suit brought against any individual or corporate owner, all past due taxes for all previous years on such tract or tracts shall be included; and provided, further that where there are several lots in the same addition or subdivision delinquent, belonging to the same owner, all said delinquent lots shall be made the subject of a single suit.

All fees provided for the officers herein shall be treated as fees of office and accounted for as such, and said officers shall not receive nor retain said fees in excess of the maximum compensation allowed said officers under the laws of this State; and provided further that the county attorney, criminal district attorney or district attorney shall not be entitled to the fees herein provided for in instances where such delinquent taxes are collected under contracts between the commissioners' court and others for the collection of such taxes, and in such instances the fees herein provided for such officers shall not be assessed nor collected.

The sheriff or constable of the county in which the suit is pending shall receive a fee of Two (\$2.00) Dollars in each case which will cover the services of all process, and the selling of the property and executing deeds for same. If, in any such suit, process is issued to be served in counties other than the one in which the suit is pending, the sheriff or constable serving the same shall receive a fee of One (\$1.00) Dollar in each suit for his services.

The district clerk shall receive a fee of Two (\$2.00) Dollars in full for his services in each case.

The county clerk shall receive One (\$1.00) Dollar in full for his services in each case.

Provided, that the fees herein provided for in connection with delinquent tax suits shall constitute the only fees that shall be charged by said officers for preparing, filing, instituting, and prosecuting suits on delinquent taxes and securing collection thereof, and all laws in conflict herewith are hereby repealed.

In case the delinquent tax-payer shall pay to the collector the amount of delinquent taxes for which he is

liable, together with accrued interest after the filing of suit before judgment is taken against him in the case, then, only one-half of the fees taxable in such a case, as provided for herein, shall be charged against him.

Sec. 2. In suits by counties against any of the officers herein named to recover monies or fees collected by any such officers, limitation of action shall not apply, and no such suit shall be barred by the statute of limitation.

Sec. 3. All laws in conflict herewith are hereby repealed.

Sec. 4. The fact that the former law, particularly in its amended form, has proved to be oppressive in its operation as applied to citizens generally and more especially those of the poorer class, and has led to piling up swollen revenues in the hands of officers in the large counties, which abuses should not be further continued; and the further fact that Section 1 of Chapter 258, Page 428, Acts of the Regular Session of the Forty-second Legislature, conflicts with Chapter 117, Page 196, Acts of the Forty-second Legislature with reference to the time and manner of giving notice to the delinquent tax-payer, which has resulted in much confusion among the several tax collecting agencies of this State, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days shall be suspended and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Read and adopted by the following vote:

Yeas—28.

Beck.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Poage.
Greer.	Pollard.
Hardin.	Purl.
Holbrook.	Rawlings.
Hopkins.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Neal.	Woodruff.
Oneal.	Woodul.

Present—Not Voting.

DeBerry.

Absent—Excused.

Berkeley.

Woodward.

Senators Excused.

On motion of Senator Moore, Senators Berkeley and Woodward were excused for yesterday and today on account of important business.

Messages From the House.

Hall of the House of Representatives,
Austin, Texas, Sept. 29, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to H. C. R. No. 15 by a viva voce vote.

The House has passed the following bill and resolution:

H. B. No. 84, A bill to be entitled "An Act to amend Article 619, Penal Code of 1925, relating to keeping a gaming table or bank so as to omit reference therein to slot machines and making it a misdemeanor to keep or exhibit any slot or vending machine for the purpose of gaming, and defining the same; prescribing penalties for a violation thereof; declaring the existence of any slot or vending machine to be against public policy and a public nuisance; declaring the existence of any lottery or raffle to be against public policy and a public nuisance; providing for the seizure and destruction as a nuisance of any slot or vending machine, or any lottery or raffle; and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Sept. 29, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. C. R. No. 31, Extending the time of payment of certain rentals on oil and gas leases until June 1, 1932.

H. C. R. No. 32, Relating to the salary of the secretary to the general manager of the Prison System.

H. C. R. No. 33, Calling upon the Board for leasing of Texas Prison lands to lease said prison lands by January 1, 1932.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

H. C. R. No. 14.

The Chair laid before the Senate:
H. C. R. No. 14, Relating to extension of Oil and Gas Permit No. 14662.

The resolution was read.

Senator Hopkins moved to indefinitely postpone further consideration of the resolution. The motion prevailed.

H. C. R. No. 33.

The Chair laid before the Senate:
H. C. R. No. 33, Relating to leasing Texas prison lands for mineral development.

The resolution was read and adopted.

H. C. R. No. 31.

The Chair laid before the Senate:
H. C. R. No. 31, Date of payment of certain oil rentals.

The resolution was read.

On motion of Senator Purl, the resolution was referred to Committee on State Affairs.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Sept. 29, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two Houses on Senate Bill No. 45. The following are conferees on the part of the House:

Sanders, Metcalfe, Leonard, Adams of Jasper, and Savage.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

H. C. R. No. 32.

The Chair laid before the Senate:
H. C. R. No. 32, Relating to certain salaries of employees of the Prison System.

Read and adopted.

Motion Relative to Trial.

Senator Woodul moved that it was the sense of the Senate to go ahead with the trial of Judge J. B. Price, beginning tomorrow morning at 10 o'clock.

Senator Purl raised the point of order that such a motion could not be made verbally.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order.

The motion prevailed.

At Ease.

At 11:11 o'clock a. m., the Senate stood at ease subject to the call of the Chair.

In Session.

The Senate was called to order at 12:03 o'clock p. m., by Lieutenant Governor Edgar E. Witt.

Motion to Recess.

Senator Patton moved to recess until 2 o'clock p. m. The motion was lost.

S. C. R. No. 15.

Senator Poage sent up the following resolution:

Whereas, Joint Rule No. 11 of the Senate and House of Representatives provides that no vote shall be taken upon the passage of any bill within the last twenty-four hours of the session, unless it be to correct an error therein.

Whereas, there are now many bills of general and of local importance pending, which have not been finally voted upon, now therefore,

Be It Resolved by the Senate of Texas, the House of Representatives Concurring, That such rule be and the same is hereby suspended so that either House may vote on any bill until the date of adjournment.

POAGE,
DeBERRY,
LOY.

The resolution was read.

Senator Moore raised the point of order that Senator Cousins was resorting to dilatory tactics.

The Chair warned Senator Cousins to confine his remarks to the resolution.

Senator Greer asked unanimous consent to stand at ease until 2 o'clock. Objection was heard.

Senator Patton moved to recess until 2 o'clock p. m. The motion was lost.

Senator DeBerry raised the point of order that by yielding to the motion to recess Senator Cousins lost the floor.

The Chair overruled the point of order, holding that Senator Cousins yielded for the motion with the understanding that he would not thereby lose the floor.

Senator Moore raised the point of order for the second time that Senator Cousins was not discussing the resolution and was resorting to dilatory tactics.

The Chair warned Senator Cousins to confine his remarks to the resolution.

Senator Moore raised the point of order for the third time that Senator Cousins was resorting to dilatory tactics.

The Chair informed Senator Cousins that when this point of order was raised three consecutive times against a Senator, he could be taken off the floor by the Senate if the Senate so desired.

Senator Greer moved to recess until 2 o'clock p. m. The motion was lost by the following vote:

Yeas—10.

Cousins.	Patton.
Greer.	Small.
Hopkins.	Stevenson.
Neal.	Thomason.
Parr.	Williamson.

Nays—16.

Cunningham.	Moore.
DeBerry.	Oneal.
Gainer.	Parrish.
Hardin.	Poage.
Holbrook.	Purl.
Hornsby.	Rawlings.
Loy.	Woodruff.
Martin.	Woodul.

Absent.

Beck.	Russek.
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Absent—Excused.

Berkeley.	Woodward.
Pollard.	

Senator DeBerry raised the point of order that when Senator Cousins yielded for the motion to recess, no mention was made of his holding the

floor after the motion was disposed of.

The Chair, Lieutenant Governor Edgar E. Witt, sustained the point of order.

Senator DeBerry moved to lay the resolution on the table subject to call.

On motion of Senator Woodruff the previous question was ordered on the motion.

The motion to lay the resolution on the table subject to call prevailed by the following vote:

Yeas—17.

Beck.	Moore.
Cunningham.	Oneal.
DeBerry.	Parrish.
Gainer.	Poage.
Hardin.	Purl.
Holbrook.	Rawlings.
Hornsby.	Woodruff.
Loy.	Woodul.
Martin.	

Nays—10.

Cousins.	Patton.
Greer.	Small.
Hopkins.	Stevenson.
Neal.	Thomason.
Parr.	Williamson.

Absent.

Russek.

Absent—Excused.

Berkeley.	Woodward.
Pollard.	

S. C. R. No. 16.

Senator DeBerry sent up the following resolution:

Be It Resolved by the Senate the House of Representatives concurring, That the sine die resolution for adjournment Tuesday, September 29, 1931, at 6 p. m., be and the same is hereby rescinded and that date of adjournment of Second Called Session of the Forty-second Legislature be fixed for Friday, October 2, 1931, at 6 p. m.

MOORE,
DeBERRY,
PURL,
POAGE,
HARDIN.

The resolution was read.

Senator Woodruff moved the previous question on the further consideration of the resolution.

Senator Cousins raised the point of order that it would take a two-thirds vote to adopt this resolution because it amounted to a suspension of the regular order of business.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order, holding that the resolution could be adopted by a majority vote, inasmuch as it amounted to a reconsideration of a resolution previously adopted by the Senate by a majority vote.

The previous question was ordered on the further consideration of the pending resolution.

The resolution was adopted by the following vote:

Yeas—17.

Beck.	Moore.
Cunningham.	Oneal.
DeBerry.	Parrish.
Gainer.	Poage.
Hardin.	Purl.
Holbrook.	Rawlings.
Hornsby.	Woodruff.
Loy.	Woodul.
Martin.	

Nays—10.

Cousins.	Patton.
Greer.	Small.
Hopkins.	Stevenson.
Neal.	Thomason.
Parr.	Williamson.

Absent.

Russek.

Absent—Excused.

Berkeley.	Woodward.
Pollard.	

Recess.

Senator Patton moved to recess until 2:30 o'clock p. m.

Senator Purl moved to recess until 2 o'clock p. m.

The motion to recess until 2:30 o'clock p. m., prevailed and at 1:02 o'clock p. m., the Senate recessed.

After Recess.

The Senate met at 2:30 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

At Ease.

At 2:30 o'clock p. m., the Senate stood at ease subject to the call of the Chair.

In Session.

The Senate was called to order at 2:42 o'clock p. m., by Lieutenant Governor Edgar E. Witt.

Messages From the House.

Hall of the House of Representatives,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following resolution:

S. C. R. No. 14, as amended, relative to the unemployment situation and suggesting measures for relief.

H. C. R. No. 21, Relative to the Federal Farm Board.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report on S. B. No. 34 by a viva voce vote.

The House has adopted the Free Conference Committee report on S. B. No. 45 by a viva voce vote.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report on S. B. No. 13 by a viva voce vote.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Conference Committee Report.

Senator Poage sent up the following conference committee report:

Committee Room,

Austin, Texas, Sept. 29, 1931.

Hon. Edgar E. Witt, President of the Senate,

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your Conference Committee on S. B. No. 34, have had

same under consideration and have adjusted the difference between the House and Senate, and recommend the passage of the hereto attached bill, which is made a part of this report.

Respectfully submitted,

POAGE,
BECK,
LOY,
ONEAL.

On the part of the Senate.

MOFFETT,
HUBBARD,
MORSE,
TURNER,
PATTERSON.

On the part of the House.

A BILL**To Be Entitled**

An Act requiring all public warehousemen to issue receipts, containing in addition to the information now required by Article 5570, of the Statutes of this State, a statement of the class and staple of the cotton represented by the receipt, said class and staple to have been determined by a public cotton classer, licensed as required by law, prescribing the fees that may be charged for such information; providing for temporary receipts in certain cases; providing for the exchange of such temporary receipts; and providing penalty and forfeiture of certificate for neglectful failure to carry out the provisions of this Act; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. From and after the passage of this Act, it shall be the duty of every owner, proprietor, lessee, and manager of any public warehouse, whether an individual, firm or corporation to, upon delivery to him of any cotton, and upon the request of the owner of said cotton said warehouseman shall issue a public warehouse receipt therefor which receipt shall contain in addition to the information now required by Article 5570 of the Statutes of this State, a statement of the grade and staple of the cotton represented by the receipt, said grade and staple to have been determined by a public cotton classer, licensed as required by law, for which statement of grade and staple the warehouseman shall

not collect any charge in excess of twenty-five (25c) cents per bale; provided, however, that in event no public cotton classer, licensed as required by law is available at any public warehouse, the warehouseman shall be authorized to issue a temporary receipt, which receipt need not contain the aforementioned statement of class and staple and which shall have the words "temporary receipt" plainly stamped across the face thereof; and which receipt shall be exchangeable at any time after five (5) days after its date of issuance for a permanent warehouse receipt, containing all of the information afore required.

Sec. 2. Any warehouseman who shall fail or neglect to comply with any of the provisions of this Act shall be deemed guilty of the violation of law contemplated in Article 5569 of the Revised Statutes of this State, and upon proof of such failure or neglect shall be deemed liable to revocation of his certificate by any

court of competent jurisdiction as provided in the aforementioned Article.

Sec. 3. The fact that the cotton raising farmers of the State of Texas are now in a distressed financial condition and that there are now no adequate facilities available whereby they may become informed as to the authentic classification of their product; and the further fact that such information will be of great value to them in marketing their product and securing loans against it; and that such information will stimulate and encourage the raising of better quality of cotton, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days shall be suspended and said rule is hereby suspended, and this Act is to take effect and be in force from and after its passage, and it is so enacted.

Read and adopted.

Conference Committee Report.

Senator Hornsby sent up the following Conference Committee report:
Committee Room.

Austin, Texas, Sept. 29, 1931.

Hon. Edgar E. Witt, President of the Senate,

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your Conference Committee on S. B. No. 45, have had same under consideration, have adjusted the differences between the House and Senate, and recommend the passage of the hereto attached bill, which is made a part of this report.

Respectfully submitted,
HORNSBY,
NEAL,
BECK,
PARRISH,
SMALL.

On the part of the Senate.

SANDERS,
METCALFE,
LEONARD,
ADAMS of Jasper,
SAVAGE.

On the part of the House.

S. B. No. 45.

A BILL

To Be Entitled

An Act making additional appropriations to pay salaries of judges, attorneys and the support of the judiciary of this State for the fiscal years ending August 31, 1931, August 31, 1932, and August 31, 1933; and to pay blanket warrants issued by the State Comptroller to district judges, district and assistant district attorneys, and court reporters for services rendered after the Acts creating their respective offices became effective; and to make a supplemental appropriation to the Bureau of Labor Statistics for the fiscal year beginning September 1, 1931, and ending August 31, 1933; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money or so much thereof as may be necessary be, and the same are hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay salaries of judges, attorneys, and the support of the judiciary of this State for the fiscal years ending August 31, 1931, August 31, 1932, and August 31, 1933; and to pay blanket warrants issued to district judges, district and assistant district attorneys, and court reporters for services rendered after the Acts creating their respective offices became effective; and to supplement appropriations heretofore made to the Bureau of Labor Statistics for the fiscal year beginning September 1, 1931, and ending August 31, 1933.

For Fiscal Year Ending
August 31, 1931.

To pay salaries and traveling expenses of the Judges, District Attorneys and Assistant District Attorneys in Judicial Districts Nos. 32, 47, and 119, created by the Regular session of the 42nd Legislature.....	\$ 10,000.00	
To pay salaries of J. B. Forse for services as special judge in the First Supreme Judicial District.....	68.45	
To pay salary of A. T. Blackshear for services as special judge in the First Supreme Judicial District.....	191.80	
To pay salary of B. L. Russell, of Baird, Texas, for services as special judge in the 11th Supreme Judicial District.....	160.00	
To pay salary of W. M. Taylor, for services as special judge in the 14th Judicial District.....	1,329.00	
To pay salary of Roy Buckley, of Mission, Texas, for services as special judge in the 79th Judicial District.....	369.63	
To pay salary of Perry S. Robertson for services as special judge in the 73rd Judicial District.....	589.10	
To pay salary of Robert W. B. Terrell for services as special judge in the 37th Judicial District.....	780.90	
To pay salary of W. S. Anthony for services as special judge in the 94th Judicial District.....	685.00	
Total.....		\$ 14,173.88

For Fiscal Years Ending
August 31, 1932, August 31,
1933

To pay salaries of three District Judges in Judicial Districts Nos. One Hundred Twenty-three (123), One Hundred Twenty-four (124) and One Hundred Twenty-six (126).....	\$ 15,000.00	\$ 15,000.00
To pay expenses of District Judges in Judicial Districts Nos. One Hundred Twenty-three (123), One Hundred Twenty-four (124), and One Hundred Twenty-six (126) as provided by Article No. 6820.....	1,500.00	1,500.00
To pay salary of Assistant District Attorney in the Forty-seventh (47th) Judicial District.....	3,000.00	3,000.00
To pay blanket warrants issued to District Judges, Attorneys and Court Reporters for services rendered after the Act creating their respective offices became effective.....	856.69	
To purchase thirty volumes of Texas Criminal Reports for 54th District Court.....	150.00	

	For Fiscal Year Ending	
	August 31, 1931	August 31, 1933
For postage, stationery and miscellaneous items for Bureau of Labor Statistics.....	500.00	500.00
Total.....	\$ 21,006.69	\$ 20,000.00
Grand Total.....	\$ 55,180.57	

Provided no payment herein provided for shall exceed the amount fixed by the Statutes or the Constitution for such services.

Sec. 2. The fact that no appropriations have been made for carrying out the provisions of the Acts creating such courts and offices, and the urgent necessity for providing such funds, and the fact that this Special Session of the Legislature may soon adjourn, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Read and adopted.

Motion to Concur.

Senator Loy moved to concur in House amendments to S. C. R. No. 14. The motion prevailed.

H. C. R. No. 21.

The Chair laid before the Senate: H. C. R. No. 21, Relating to issuance of currency by the Federal Reserve Board.

Read and referred to Committee on Federal Relations.

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read the following bills and resolutions:

H. B. No. 44.	H. B. No. 76.
H. B. No. 22.	H. C. R. No. 32.
H. B. No. 74.	H. C. R. No. 33.
H. B. No. 79.	H. C. R. No. 18.

Message From the Governor

Executive Office,
Austin, Texas, Sept. 28, 1931.
To the Members of the Forty-second Legislature:

I submit to you for your consideration the subject of amending H. B. No. 943, Chapter 159 of the Special Laws of the Forty-second Legislature as amended by H. B. No. 37, Chapter 31 of the General and Special Laws of the First Called Session of the Forty-second Legislature,

repealing closed season for killing quail in Atascosa county.

Respectfully submitted,

R. S. STERLING,
Governor.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution: S. C. R. No. 16, With amendments—Relating to sine die adjournment.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Motion to Concur.

Senator Moore moved to concur in the House amendment to S. C. R. No. 16.

Senator Neal moved as a substitute to concur in the House amendments.

Senator Neal raised the point of order that Senator Moore's motion was made before the amendment was read and was therefore out of order.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order.

Senator Woodruff moved the previous question on the further consideration of the motion by Senator Moore. The previous question was ordered by the following vote:

Yeas—16.

Cunningham.	Moore.
DeBerry.	Oneal.
Gainer.	Parrish.
Hardin.	Poage.
Holbrook.	Purl.
Hornsby.	Rawlings.
Loy.	Woodruff.
Martin.	Woodul.

Nays—10.

Beck.	Patton.
Cousins.	Russek.
Greer.	Small.
Neal.	Stevenson.
Parr.	Williamson.

Absent.

Hopkins.	Thomason.
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Absent—Excused.

Berkeley.	Woodward.
Pollard.	

The motion to concur prevailed by the following vote:

Yeas—16.

Beck.	Moore.
Cunningham.	Oneal.
DeBerry.	Parrish.
Gainer.	Poage.
Holbrook.	Purl.
Hornsby.	Rawlings.
Loy.	Woodruff.
Martin.	Woodul.

Nays—9.

Cousins.	Russek.
Greer.	Small.
Neal.	Stevenson.
Parr.	Williamson.
Patton.	

Absent.

Hardin.	Hopkins.
Thomason.	

Absent—Excused.

Berkeley.	Woodward.
Pollard.	

Senate Bill No. 25.

The Chair laid before the Senate as pending business following the removal of the limitation of the 24-hour rule the following bill:

By Senators Purl and Woodruff:

S. B. No. 25, A bill to be entitled "An Act to amend Section 1 of Chapter 271, H. B. No. 358, General Laws

of the Regular Session of the Forty-second Legislature, approved May 29, 1931, providing for the sale of lands belonging to the Public Free School Fund of the State of Texas, except islands, lakes and bays and other lands within tide water limits; amending Section 5 of said Act, giving preference right to holders in good faith of surveys of land to purchase the same; amending Section 8 of said Act, relating to the lease of all unsold public free school lands, and declaring an emergency."

Senator Woodruff moved the previous question on the further consideration of this bill. The motion prevailed by the following vote:

Yeas—14.

Beck.	Martin.
Cunningham.	Moore.
Gainer.	Oneal.
Hardin.	Poage.
Holbrook.	Purl.
Hornsby.	Rawlings.
Loy.	Woodruff.

Nays—11.

Cousins.	Russek.
DeBerry.	Small.
Greer.	Stevenson.
Neal.	Thomason.
Parr.	Woodul.
Patton.	

Absent.

Hopkins.	Williamson.
Parrish.	

Absent—Excused.

Berkeley.	Woodward.
Pollard.	

Senator Purl received unanimous consent that the caption be amended to conform to the body of the bill.

The bill was finally passed by the following vote:

Yeas—17.

Beck.	Martin.
Cunningham.	Moore.
DeBerry.	Oneal.
Gainer.	Parrish.
Hardin.	Poage.
Holbrook.	Purl.
Hornsby.	Rawlings.
Loy.	Woodruff.

Nays—10.

Woodul.	Russek.
Cousins.	Small.
Greer.	Stevenson.
Neal.	Thomason.
Parr.	Williamson.
Patton.	

Absent.

Hopkins.

Absent—Excused.

Berkeley.	Woodward.
Pollard.	

Senator Purl moved to reconsider the vote by which S. B. No. 25 was finally passed.

Senator DeBerry moved to table the motion. The motion to table prevailed.

House Bill No. 90.

The Chair laid before the Senate the following bill:

H. B. No. 90, A bill to be entitled "An Act to amend Article 2818, Revised Statutes of 1925, by providing for the distribution and use of the county available school funds in county line districts derived from the separate counties of which such districts are a part; repealing all laws in conflict herewith, and declaring an emergency."

The rule requiring committee report to lie over 24 hours was unanimously suspended.

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 90 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Moore.
Cousins.	Neal.
Cunningham.	Oneal.
DeBerry.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Hardin.	Poage.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Small.
Martin.	Stevenson.

Thomason.	Woodruff.
Williamson.	Woodul.

Absent—Excused.

Berkeley.	Woodward.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Cousins.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Berkeley.	Woodward.
Pollard.	

Simple Resolution No. 31.

Senator Purl sent up the following resolution:

Whereas, The fire hose in the vestibule of the front door to the Senate Chamber has rotted and fallen from the water connections and is now lying across the hall from the connection, and;

Whereas, This increases the fire hazard in which this Capitol is already situated, therefore,

Be It Resolved, By the Senate of Texas, That the Board of Control be requested to replace this fire hose and place this fire protection in first class condition at the earliest possible moment, and also that all other fire hose and fittings be checked and reconditioned so as to safeguard public property in the Capitol of Texas.

PURL,
WILLIAMSON.

The resolution was read.

Senator Moore sent up the following amendment:

Amend S. R. No. 31, as follows: by adding at the end of the last line the following: "And that the Board of Control be instructed to see that

the corridors, hallways, walks, stairways and dome be kept clean and in a sanitary condition, and that a copy of this resolution be furnished the Board of Control.

MOORE,
HARDIN.

Read and adopted.

The resolution was adopted.

House Bill No. 66.

The Chair laid before the Senate the following bill:

H. B. No. 66, A bill to be entitled "An Act to declare a closed season on the killing of prairie chickens in Brazoria and Matagorda counties for a period of five years, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 66 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Oneal.
Cousins.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Berkeley.	Woodward.
Pollard.	

Read third time and finally passed.

House Bill No. 67.

The Chair laid before the Senate the following bill:

H. B. No. 67, A bill to be entitled "An Act prohibiting any person to place, set, use, drag, or have in his possession any seine, net, or other device for catching fish and shrimp other than the ordinary pole and line casting rod and reel, artificial bait, trot line, set line, or cast net or min-

now seine of not more than twenty feet in length, for catching bait within waters between Padre Island and the mainland in Kleberg and Kenedy counties, and on back bays and inlets and that part of Laguna Madre within said counties and providing for a fine of not less than twenty-five (\$25) dollars nor more than one hundred (\$100.00) dollars on first conviction and not less than one hundred (\$100) dollars nor more than two hundred (\$200) dollars on subsequent convictions and cancellation of fisherman's license or dealer's license or both for violation of this Act and further providing for the seizure by the Game, Fish, and Oyster Commissioner of Texas or his deputy, of nets, seines, or other tackle as evidence, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 67 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Oneal.
Cousins.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Berkeley.	Woodward.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Holbrook.
Cousins.	Hopkins.
Cunningham.	Hornsby.
DeBerry.	Loy.
Gainer.	Martin.
Greer.	Moore.
Hardin.	Neal.

Oneal.	Russek.
Parr.	Small.
Parrish.	Stevenson.
Patton.	Thomason.
Poage.	Williamson.
Purl.	Woodruff.
Rawlings.	Woodul.

Absent—Excused.

Berkeley.	Woodward.
Pollard.	

House Bill No. 59.

The Chair laid before the Senate the following bill:

H. B. No. 59, A bill to be entitled "An Act to amend Article 1667, of the Revised Civil Statutes of Texas for 1925, so that the provisions of said Article shall hereafter extend to all counties containing a population of seventy-five thousand or more, as shown by the preceding Federal census, and declaring an emergency."

Read second time.

On motion of Senator Purl, the bill was laid on the table subject to call.

Resolution Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following resolution:

S. C. R. No. 16.

Adjournment.

On motion of Senator Woodruff, the Senate, at 5:36 o'clock p. m., adjourned until 9:30 o'clock tomorrow morning.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 11, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 78, A bill to be entitled "An Act to amend Section 14, Article 7047, of the Revised Civil Statutes of 1925, relating to and imposing an occupation tax on loan brokers and defining same and providing for certain exceptions and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment, and be not printed.

MOORE, Chairman.

Committee Amendment No. 1.

Amend House Bill No. 78 by adding at the end of Section 1 the following: "Nor shall this tax apply to money lenders as defined by Article 7047 in Section 15 thereof, as amended by Acts of 1931, Regular Session, Forty-second Legislature."

Committee Room.

Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 45, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, consolidated independent school districts, county line school districts, consolidated county line school districts and rural high school districts, whether created by General or Special Law, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room.

Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 31,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MOORE, Chairman.

Committee Room,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. C. R. No. 24, A resolution requesting that the State Text Book Commission, the State Board of Education and the State Superintendent of Public Instruction be requested not to purchase any additional text books for the year 1931-32, etc.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass,
NEAL, Chairman.

Committee Room,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 90, A bill to be entitled "An Act to amend Article 2818, R. S. 1925, by providing for the distribution and use of the county available school funds in county line districts derived from the separate counties of which such districts are a part; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

THIRTEENTH DAY.

Senate Chamber,
Austin, Texas,
September 30, 1931.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following senators answering to their names:

Beck.	Hardin.
Cousins.	Holbrook.
Cunningham.	Hornsby.
DeBerry.	Loy.
Gainer.	Martin.
Greer.	Moore.

Neal.	Small.
Oneal.	Stevenson.
Parr.	Thomason.
Parrish.	Williamson.
Patton.	Woodruff.
Poage.	Woodul.
Purl.	Woodward.
Rawlings.	

Absent—Excused.

Berkeley.	Pollard.
Hopkins.	Russek.

Prayer by the Rev. A. W. Jones of Llano.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Poage:

S. B. No. 51, A bill to be entitled "An Act to amend Article 197 of the Revised Civil Statutes and to apportion the State of Texas into Congressional Districts, naming the counties composing each district and providing for the election of a member of the United States Congress from each such district and repealing all laws and parts of laws in conflict therewith."

Read and referred to Committee on Congressional Districts.

By Senator Moore:

S. B. No. 52, A bill to be entitled "An Act declaring the State of Texas a Congressional District; providing for the election of three Congressmen from the State at large; providing for majority nomination of the said Congressmen and declaring an emergency."

Read and referred to Committee on Congressional Districts.

By Senator Purl:

S. B. No. 53, A bill to be entitled "An Act to amend Article 3109 of the Revised Civil Statutes of 1925, relating to Ballot at Primaries, repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Read and referred to Committee on Congressional Districts.